IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 865 (SS) of 2007

Sunder Lal Nautiyal,
S/o Sri Chandra Mani Nautiyal,
R/o 13 A, Shanti Vihar Govind Garh,
Dehradun, presently posted as Government
Inter College, Kishanpur,
Dehradun. **…… Petitioner.**

Versus

1. State of Uttarakhand through, Secretary, Education, Dehradun.
2. Director of Education, State of Uttarakhand, Dehradun.
3. Joint Director, Education, State of Uttarakhand Dehradun.
4. District Education Officer, Dehradun.
5. Principal, Government Inter College, Kishanpur, Dehradun.

……Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri M.C. Pant, learned counsel for the petitioner and Sri N.P. Shah, learned Standing Counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, the petitioner, who was initially appointed as LT Grade Teacher (General), has challenged the transfer order dated 16.06.2007 passed by District Education Officer Dehradun, by which petitioner has been transferred from Government Inter College, Kishanpur, to Government Inter College, Kotatapalar on the ground of inconsistent subject. This order has been passed in pursuance of the order dated 26.05.2007 and 28.05.2007 passed by the Director, School Education, Uttarakhand, Dehradun.

Learned counsel for the petitioner has submitted that since his date of appointment till date, petitioner had already worked for about 12 years in Ati Durgam areas and present transfer / adjustment order has been passed in violation of Transfer Policy and just to harass the petitioner.

During the course of argument, learned counsel for the petitioner has confined his prayer that petitioner may be permitted to make representation, raising all his grievances, before District Education Officer, Dehradun and District Education Officer, Dehradun be directed to take decision on the representation of petitioner within a period prescribed by this court.

The prayer is innocuous. Accordingly, I direct the petitioner to make representation before District Education Officer, Dehradun raising all his grievances within a period of one week from today and District Education Officer, Dehradun is directed to take decision on the representation of the petitioner within a period of ten days from the date of production of certified copy of this order along with representation. Till the representation is decided by District Education Officer, Dehradun or till 31st July 2007, whichever is earlier, the impugned order dated 16.06.2007, passed by District Education Officer Dehradun, so far as it relates to the petitioner, shall not be given effect to.

With this direction, the writ petition as well as stay application stands disposed of. No order as to costs.

(M.M. Ghildiyal, J)

July 12, 2007
SKS